

Clerk of the Decatur Circuit Court

150 Courthouse Square, Room 244

Greensburg, Indiana 47240

Phone: (812)663-8223

Email: clerk@decaturcounty.in.gov

Decatur Superior Court

Small Claims Division

150 Courthouse Square, Room 211

Greensburg, Indiana 47240

Magistrate Phone: (812) 222-3804

NOTICE OF CLAIM TO DEFENDANT

TYPE OF SMALL CLAIM: [] ORIGINAL FILING [] ALIAS [] COUNTERCLAIM

CASE NO. 16D01-_____-SC-_____

Service by: ☐ Certified Mail

☐ Sheriff of _____ County

Fill in box completely:

SERVE TO:

_____ Plaintiff's Name			vs.	_____ Defendant's Name		
_____ Street and Number				_____ Street and Number		
_____ City	_____ State	_____ Zip		_____ City	_____ State	_____ Zip
_____ Telephone Number				_____ Telephone Number		
_____ *Email				_____ *Email		

You (the Defendant) have been sued by the Plaintiff whose name appears above. This claim has been scheduled for trial on **Tuesday**, _____ in the Decatur Magistrate Courtroom located on the second floor of the Courthouse at 150 Courthouse Square, Room 211, Greensburg, Indiana 47240.

The Plaintiff's claim is for: ☐ Note, Contract (copy must be attached), or Account (affidavit of debt form must be attached) ☐ Rent ☐ Wages ☐ Other (specify) _____. A brief statement of the Plaintiff's claim against you is as follows: _____

Plaintiff demands judgment against the Defendant for \$_____, and the costs of this action.

Plaintiff's Signature

Date

SEE PAGE TWO FOR IMPORTANT INFORMATION CONCERNING THIS CLAIM

IMPORTANT INFORMATION CONCERNING THIS CLAIM

1. You may appear at the trial either in person or by an attorney. You should bring to the trial all documents in your possession or under your control concerning this claim. If you do not wish to dispute the claim, you may nonetheless appear for the purpose of allowing the Court to establish the method by which the judgment shall be paid.
2. If you are unable to appear at the time or place designated in this notice, you may contact the Court Reporter of the Decatur Superior Court, 150 Courthouse Square, Room 219, Greensburg, Indiana 47240, (812) 663-8523, between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday. If you fail to appear for the trial, a judgment by default may be entered against you.
3. A defendant has the right to a trial by jury but must make a written request within ten (10) days of receipt of this Notice of Claim. Within ten (10) days after the request for a jury trial has been granted, the party requesting a jury trial shall pay the clerk the additional amount required by Indiana Code 33-28-3-7 (\$70.00) to transfer the case to the plenary docket; otherwise, the party requesting a jury trial shall be deemed to have waived the request. Once a jury trial request has been granted, it may not be withdrawn without the consent of the other party or parties.
4. A copy of small claims manual provided as required by Small Claims Rule 13 is available upon your request at the office of the clerk of this court.

CERTIFICATE OF MAILING

I hereby certify that on the ____ day of _____, 20 ____, I mailed a copy of this notice to each of the defendant(s) _____ by certified mail requesting a return receipt addressed to each of said defendant(s) _____ at the address(es) furnished by the plaintiff.

DATED: _____

Clerk, Decatur Circuit Court

SHERIFF'S RETURN OF SERVICE OF NOTICE

I hereby certify that I have served the within notice:

- (1) by delivering on the ____ day of _____, 20 ____, a copy of this notice of claim of each of the within-named defendant(s) _____, or
- (2) By leaving on the ____ day of _____, 20 ____ for each of the within-named defendant(s) _____, a copy of the notice of claim at their respective dwelling(s), house(s) or usual place(s) of abode and by mailing a copy of the notice to the defendant(s) last known address.

Sheriff of _____ County, Indiana

By _____